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16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

18 JESUS FELIX GARCIA,) No. 2:22-cv-1683 DB
19 Plaintiff,)
20 v.) **STIPULATION TO VOLUNTARY
21 REMAND PURSUANT TO SENTENCE
22 FOUR OF 42 U.S.C. § 405(g) AND TO
23 ENTRY OF JUDGMENT; AND ORDER**
24 COMMISSIONER OF SOCIAL SECURITY,)
25 Defendant.)

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27 IT IS STIPULATED by and between Plaintiff, Jesus Felix Garcia (“Plaintiff”), and
28 Defendant Commissioner of Social Security (“Defendant”), through their undersigned counsel
of record, that the above-entitled action shall be remanded to the Commissioner of Social
Security for further administrative proceedings.

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30 Upon remand, the Appeals Council will remand the case to an Administrative Law
31 Judge (ALJ) for a new decision. The parties further request that the Court direct the Clerk of the
32 Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final
33 decision of the Commissioner.

1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).
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4 Dated: April 28, 2023

/s/ Francesco P. Benavides

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on April 28, 2023

7 PHILLIP A. TALBERT

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10 By:

/s/ Timothy A. Razel

11 TIMOTHY A. RAZEL

12 Special Assistant United States Attorney

13 Attorneys for Defendant

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17 **ORDER**

18 Pursuant to the parties' Stipulation; IT IS HEREBY ORDERED that:

19 1. This matter is remanded to the Commissioner of Social Security for further
20 proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42
21 U.S.C. 405(g);
22 2. The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against
23 Defendant, reversing the final decision of the Commissioner; and
24 3. This action is closed.

25

26 DATED: May 1, 2023

/s/ DEBORAH BARNES

27 UNITED STATES MAGISTRATE JUDGE